

Improvement Res. No. 999-1959

For the Vacation of Piedmont Drive from the south property line of Nuttman Avenue to the south property line of Oakdale Drive; also the vacation of Oakdale Drive from the west property line of Piedmont Drive to a point 319.1 feet west thereof.

Resolution Adopted:

May 11, 1959

Confirmed:

May 11, 1959

Bids Received:

Contract Awarded:

Contract and Bond:

Contractor:

Report Completed:

Assessment Roll Confirmed:

June 15, 1959

B.O. 103-1959 (Park Row Add. Extended)

DECLARATORY RESOLUTION NO. 999-1959

Which provides for the vacation of Piedmont Drive from the south property line of Nuttman Avenue to the south property line of Oakdale Drive. Also, the vacation of Oakdale Drive from the west property line of Piedmont Drive to a point 319.1 feet west thereof.

PLANS ORDERED:

ADOPTED: May 11, 1959, 7:30 p.m.

ADVERTISE NOTICE TO PROPERTY OWNERS: WAIVED

HEARING ON CONFIRMATION:

CONFIRMED: Monday, May 11, 1959, 7:30 p.m.

ASSESSMENT ROLL ORDERED: May 11, 1959

ASSESSMENT ROLL APPROVED: June 1, 1959

HEARING ON CONFIRMATION:

OF ASSESSMENT ROLL: Mon., June 15, 1959, 7:30 p.m. IST.

NOTICES SERVED: June 4, 1959

ASSESSMENT ROLL CONFIRMED: June 15, 1959

For the Vacation - Opening - Condemnation of right of way for utility purposes  
by the State on the property line of Montgomery Drive. , location of Montgomery Drive. ,  
in Pemberton .

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to vacant the river front and property of the Canal Company to the south property of Indiana Avenue. The location of the river front from the west property of Indiana Avenue to a point 19 feet

All as shown by a plan of said proposed Vacation - Opening - Condemnation of right of way for city  
~~expenses~~ as above described now on file in the Office of the Department of Public Works of the City of  
Fort Wayne, Indiana

The cost of said Vacation - ~~Opening~~ - Condemnation of right of way for utility purposes - shall be assessed against the property beneficially affected thereby.

The property which may be injuriously or beneficially affected by such location — Opening — Condemnation of right of way for utility purposes is described as follows: Park how Addition number 1, 521 addition line Indiana.

All according to the method and manner provided for in an act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporations", as approved March 6, 1905 and the provisions of all acts amendatory thereto and supplemental thereof, including the right to bond assessments as in said law ordered.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of five per cent per annum. Under no circumstances shall the City of Fort Wayne, Indiana, be liable to hold any bond or any sum or sums due from the said property owner or owner, or for the payment of any bond or money, except for such moneys as shall have been actually received by the City from the assessments for such property damages as said City is by said above entitled act required to pay. All proceedings had in the making of said improvement, assessment of property, collection of assessments and issuance of bond, therefor shall be as provided for in said above entitled act and all amendments thereto and supplements thereto.

The location of the above described shall be subject to an easement for the use of the City of Fort Wayne, Indiana, and other public utilities for the construction and maintenance of sewer mains, gas mains, electric pole lines and conduits, telephone and telegraph pole lines and conduits.

ADOPTED THIS 11

Attest:

May 6 59  
Baumeyer  
Miss M. Davis

TO BE VACATED

  PROPOSED STREET

PIEDMON

128  
1294 93  
50 40 40

— NUTTMAN — AVENUE —

747.4

50

AVENUE

328

344.1

R-20

R-20

50

PARK ROW

BLOCK

"A"

ADDITION

328

344.1

50

OAKDALE

DRIVE

50

R-20

303

50

319.1

R-20

ROOKLYN

379.4

350.74

AMENDED

26° 47'

BLOCK

CITY  
D.R. 522.5  
D.R. 525.3  
D.R. 525.5  
D.R. 525.7  
D.R. 525.9

LINE  
R/2

3222.78  
VACATED DEC. 1956  
3222.78  
PIEDMONT

50

BLUFFTON ROAD

ENGINEERING DEPARTMENT  
DEPARTMENT OF STREETS



FORT WAYNE 2, INDIANA

NOTED  
5-11

MAY  
7  
1959

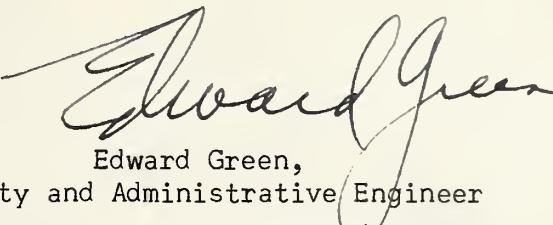
Date May 6, 1959

To Board of Public Works

Subject Board Order #103-1959 - Vacation - Park Row Addition

Declaratory Resolution, drawing and property ownership list completed and attached, for the vacation of Piedmont Drive from the south property line of Nuttman Avenue to the south property line of Oakdale Drive. Also, the vacation of Oakdale Drive from the west property line of Piedmont Drive to a point 319.1 feet west thereof.

The easement clause on the resolution was stricken because the petitioners propose to construct buildings over the vacated streets. The Utility Companies do not require an easement as they have no existing or proposed facilities in these streets. The City Plan Commission has no objection to this proposed vacation, as per attached letter.

  
Edward Green,  
City and Administrative Engineer

EG/mkh  
attachs.

See 387-6  
39-387-6

Signed

Reply:

Signed

SENDER: REMOVE & KEEP 3RD COPY—RECEIVER: ANSWER & KEEP 2ND COPY—RETURN 1ST COPY

April 13, 1959

10-59

TO: Mr. Edward Green, City Engineer  
SUBJECT: Vacation - Park Row ~~Drive~~ Addn.

You are hereby authorized to prepare a Resolution for the vacation of parcels of land lying within the Amended Plat of Park Row Addition.

PARCEL NO. 1 - Piedmont Drive extending from the north line of Bluffton Road northward to the south line of Nuttman Avenue.

PARCEL NO. 2 - Oakdale Drive from the west line of Piedmont Drive westward a distance of 319.1 feet.

We have a Waiver of Hearing, executed by John E. and Clara J. O'Conner, and also from the Quimby Southwest Village Improvement Association, Inc. signed by James W. Jackson, Secretary. We, also, have a Quit-Claim deed signed by Richard C. and Carol E. Evans, and John E. and Clara J. O'Conner, reserving the following parcel for street purposes:

A street to be known as Park Row Drive upon and over a part of Block A of the Plat as recorded as the Amended Plat of Park Row Addition, described as follows:

A strip of land fifty feet in width centered upon a line commencing on the north line of Oakdale Drive as in said plat recorded, at a point situated 328 feet eastward of the southwest corner of said Block A, extending thence northwesterly and parallel to the west line of said Block A, a distance of 400 feet to the south line of Nuttman Avenue as in said plat recorded.

This will complete a 50' right of way from Bluffton Road to Nuttman Avenue.

BOARD OF PUBLIC WORKS

J. L. Hallett, Adm. Asst.

KMc:JLH:jc

Attach: plat

## CERTIFICATE OF SURVEY

NUMBER

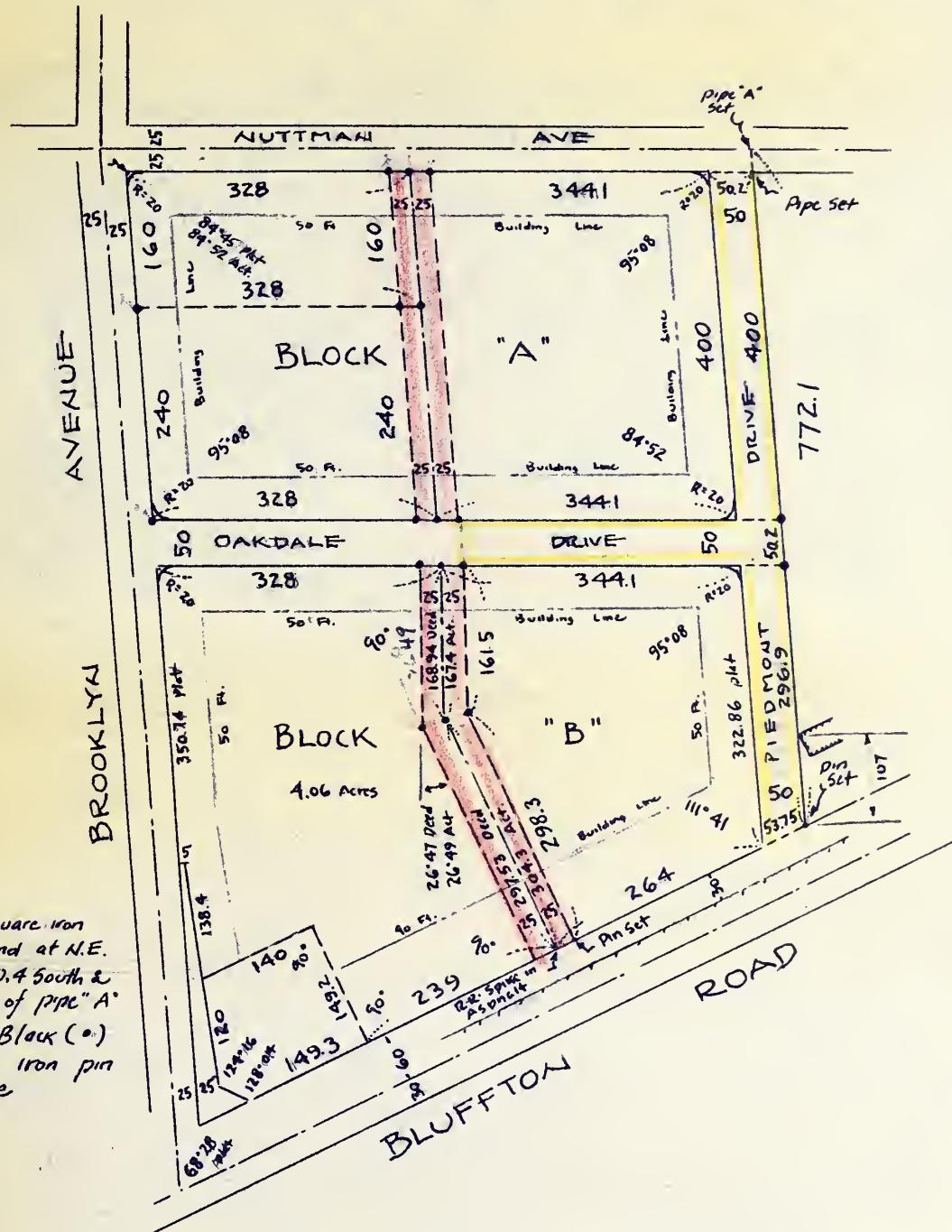
OFFICE OF **A. K. HOFER** AND **CARL A. HOFER**  
CIVIL ENGINEERS -- FORT WAYNE, INDIANA

Registered in Indiana  
No. 72  
No. 7122

This document is the record of a resurvey of land and real estate situated in the City of Fort Wayne, Allen County, Indiana, made in accordance with the plat and deed record thereof on file in the Office of Recorder of said County and State. The land below described exists in full dimension as herein noted in feet, and is free from encroachments by adjoining landowners, and furthermore, contains entirely within its boundaries the structures of the buildings on it situated; all as below indicated in detail. Any exceptions or discrepancies are below noted.

DESCRIPTION OF PROPERTY ~~box No.~~

Parcels of land lying within the Amended  
Plat of Park Row Addition, as in Plat Book 19,  
page 114, in the office of Recorder of  
Allen County, Indiana, Recorded  
and on Sheet (2) hereto attached, described;



IN WITNESS WHEREOF, I place my hand and seal, this 12 day of March 1959.

Carl A. Hofer

A- White

## PARCEL (1)

To be Vacated:

Piedmont Drive as in the Amended plat of Park Row Addition recorded, extending from the north line of Bluffton Road northward to the south line of Nuttman Avenue;

## PARCEL (2)

To be Vacated:

Oakdale Drive, as in the said plat recorded, from the west line of said Piedmont Drive, westward, a distance of 319.1 feet;

## PARCEL (3)

To be Opened:

A street to be known as Piedmont Drive, upon and over a part of Block "B" in the plat as recorded of Amended Park Row Addition and described as follows, towit:

A strip of land 50 feet in width, centered upon a line, commencing on the north line of the public street known as the Bluffton Road, and U. S. Highway Nos. 1 and 3, at a point situated 317.75 feet southwestward of the southeast corner of the plat as recorded of Amended Park Row Addition; thence running northwestward on a line normal to the said Bluffton Road north line, a distance of 304.3 feet to a point of deflection; thence northward by a deflection right of 26 degrees 49 minutes, a distance of 167.4 feet to the south line of Oakdale Drive, as in the said plat recorded.

## PARCEL (4)

To be Opened:

*Jo W. Kettell*  
A street to be known as Piedmont Drive upon and over a part of Block "A" of the plat as recorded, of Amended Park Row Addition, described as follows, towit:

A strip of land 50 feet in width, centered upon a line commencing on the north line of Oakdale Drive as in said plat recorded, at a point situated 328 feet eastward of the southwest corner of said Block "A", and extending thence northwesterly and parallel to the west line of said Block "A", a distance of 400 feet to the south line of Nuttman Avenue, as in said plat recorded.

CERTIFIED as of March 13, 1959

*Atkinson*



4565

WAIVER TO: THE BOARD OF PUBLIC WORKS  
CITY OF FORT WAYNE

Gentlemen:

March 31, 1959

The undersigned owners of real estate abutting Oakdale Drive and Piedmont Drive hereby consent to the following vacation:

PARCEL 1. Piedmont Drive as in the Amended Plat of Park Row Addition recorded, extending from the north line of Bluffton Road northward to the south line of Nuttman Avenue.

PARCEL 2. Oakdale Drive as in said plat recorded from the west line of said Piedmont Drive westward a distance of 319.1 feet.

We do hereby respectfully request the Board of Public Works to adopt a final resolution for the vacation of said Piedmont and Oakdale Drives, and do, by this instrument, waive public notice to said resolution as provided by statute, so that this Honorable Board may issue a final order confirming the preliminary order of the resolution for said vacation.

The undersigned further represent that this instrument acts as a waiver of any right to object to said order. We do further hereby waive any hearing on said resolution, and release all rights to file any remonstrance against the adoption of said resolution.

JOHN E. O'CONNOR

John E. O'Connor

CLARA J. O'CONNOR

Dated: March 31, 1959

~~APPROVED AS TO FORM & LEGALITY~~

William B. Meeker

Signed before me a Notary Public  
of Dade Co, Florida, this April  
4th 1959 P. G.

WAIVER TO: THE BOARD OF PUBLIC WORKS  
CITY OF FORT WAYNE

February 12, 1959

Gentlemen:

The undersigned owners of real estate abutting Piedmont Drive in the City of Fort Wayne do hereby respectfully request the Board of Public Works to adopt a final resolution for the vacation of said Piedmont Drive, and do, by this instrument, waive public notice to said resolution as provided by statutes so that this Honorable Board may issue a final order confirming preliminary order of the resolution for said vacation.

The undersigned further represents that this instrument acts as a waiver of any right to object to said order. We do further hereby waive any hearing on said resolution, and release all rights to file any remonstrance against adoption of said resolution.

QUIMBY SOUTHWEST VILLAGE IMPROVEMENT  
ASSOCIATION, INC.

By

*J.W. Jackson* Secy.

Dated: April 6 59

APPROVED TO FORM & LEGALITY

*J.W. Jackson, atty.*  
*Williams B. Duncil*  
*Parma, City Attorney*

FBB  
WJH  
Bo 103-59

April 13, 1959

TO: Mr. Edward Green, City Engineer  
SUBJECT: Vacation - Park Row ~~Drive~~ Addn.

You are hereby authorized to prepare a Resolution for the vacation of 2 parcels of land lying within the Amended Plat of Park Row Addition.

PARCEL NO. 1 - Piedmont Drive extending from the north line of Bluffton Road northward to the south line of Nuttman Avenue.

PARCEL NO. 2 - Oakdale Drive from the west line of Piedmont Drive westward a distance of 319.1 feet.

We have a Waiver of Hearing, executed by John E. and Clara J. O'Conner, and also from the Quimby Southwest Village Improvement Association, Inc., signed by James W. Jackson, Secretary. We, also, have a Quit-Claim deed signed by Richard C. and Carol E. Evans, and John E. and Clara J. O'Conner, deeding the following parcel for street purposes:

A street to be known as Park Row Drive upon and over a part of Block A of the Plat as recorded as the Amended Plat of Park Row Addition, described as follows:

A strip of land fifty feet in width centered upon a line commencing on the north line of Oakdale Drive as in said plat recorded, at a point situated 328 feet eastward of the southwest corner of said Block A, extending thence northwesterly and parallel to the west line of said Block A, a distance of 400 feet to the south line of Nuttman Avenue as in said plat recorded.

This will complete a 50' right of way from Bluffton Road to Nuttman Avenue.

BOARD OF PUBLIC WORKS

J. L. Hallett  
J. L. Hallett, Adm. Asst.

KMc:JLH:jc

Attach: plat

OFFICE OF  
BOARD OF PUBLIC WORKS



FORT WAYNE 2, INDIANA

B.O. 103 (159)

40-170-4

Date May 11, 1959

*Sn.*  
NOTED  
OK  
DANIS  
MAY 29 1959

To Mr. Edward Green, City Engineer  
Subject Declaratory Res. 999-1959

For the vacation of Piedmont Drive from the south property line of Nuttman Avenue to the south property line of Oakdale Drive. Also, the vacation of Oakdale Drive from the west property line of Piedmont Drive to a point 319.1 feet west thereof.

Prepare Assessment Roll of dollar for dollar benefits and damages.

E. J. Gallmeyer  
John Cooper  
Orin M. Darling  
BOARD OF PUBLIC WORKS

ms

Signed attach. Res., memo, and plat and P.O. List

Reply:

5-28-59

Primary assessment roll completed and attached.

Edward Green  
City & Adm. Engr.

**RECEIVED**  
MAY 29 1959

Signed

SENDER: REMOVE & KEEP 2ND COPY — RECEIVER: ANSWER KEEP 3RD COPY & RETURN 1ST COPY TO SENDER.

# City of Fort Wayne



OFFICE OF  
CITY PLANNING COMMISSION

1000 University Avenue

Fort Wayne, Indiana

Mr. Donald E. Hinkley, City Engineer  
City Engineering Office  
120 South Calhoun Street  
Fort Wayne, Indiana

Dear Mr. Hinkley:

This letter is in reference to the proposed vacating of Madison Drive between Madison Drive and the 1100' west west of Belmont Drive, and the vacating of Madison and Belmont between Drive and Belmont Avenue.

We have reviewed the proposed vacating of the above mentioned streets and have a specific objection to the proposed and the following reasons:

1. The above mentioned streets carry 30,000 to 40,000 in movement of traffic as measured.
2. The area is presently zoned as a business area and the vacating of these streets would allow development in the area as a commercial shopping center for future advantage both to the area as well as the City of Fort Wayne.

For the above mentioned reasons, it would be our recommendation that the above mentioned street(s) be vacated.

Respectfully yours,

CITY PLANNING COMMISSION

William Z. Arvey  
Planning Director

W.Z.A.

PARK ROWPARCEL (1)

## To be Vacated:

Piedmont Drive as in the Amended plat of Park Row Addition recorded, extending from the north line of Bluffton Road northward to the south line of Nuttman Avenue;

PARCEL (2)

## To be Vacated:

Oakdale Drive, as in the said plat recorded, from the west line of said Piedmont Drive, westward, a distance of 319.1 feet;

PARCEL (3)

## To be Opened:

## PARK ROW

4-3-54

A street to be known as ~~Piedmont Drive~~, upon and over a part of Block "B" in the plat as recorded of Amended Park Row Addition and described as follows, towit:

A strip of land 50 feet in width, centered upon a line, commencing on the north line of the public street known as the Bluffton Road, and U. S. Highway Nos. 1 and 3, at a point situated 317.75 feet southwestward of the southeast corner of the plat as recorded of Amended Park Row Addition; thence running northwestward on a line normal to the said Bluffton Road north line, a distance of 304.3 feet to a point of deflection; thence northward by a deflection right of 26 degrees 49 minutes, a distance of 167.4 feet to the south line of Oakdale Drive, as in the said plat recorded.

PARCEL (4)

## To be Opened:

## PARK ROW

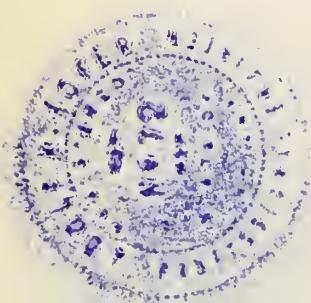
4-3-54

A street to be known as ~~Piedmont Drive~~ upon and over a part of Block "A" of the plat as recorded, of Amended Park Row Addition, described as follows, towit:

A strip of land 50 feet in width, centered upon a line commencing on the north line of Oakdale Drive as in said plat recorded, at a point situated 328 feet eastward of the southwest corner of said Block "A", and extending thence northwesterly and parallel to the west line of said Block "A", a distance of 400 feet to the south line of Nuttman Avenue, as in said plat recorded.

CERTIFIED as of March 16, 1939

-----  
Atkinson



**CERTIFICATE OF SURVEY**

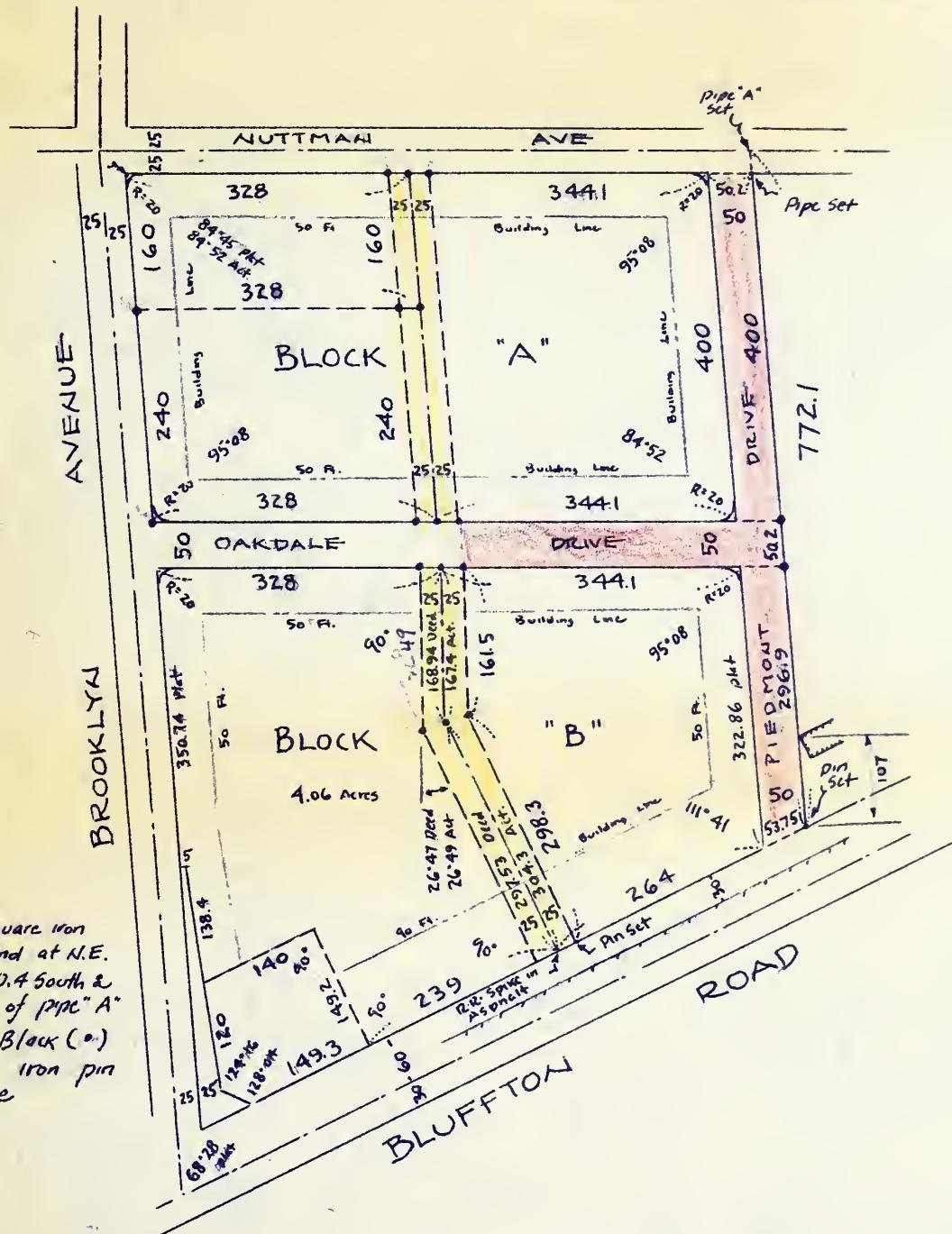
NUMBER.

OFFICE OF A. K. HOFER AND **CARL A. HOFER**  
CIVIL ENGINEERS -- FORT WAYNE, INDIANA

Registered in Indiana  
No. 72  
No. 7122

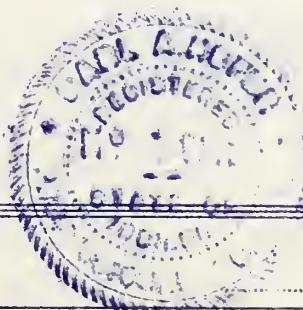
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DESCRIPTION OF PROPERTY box No. Parcels of land lying within the Amended  
Plat of Park Row Addition, as in Plat Book 19,  
page 114, in the office of Recorder of  
Allen County, Indiana, Recorded  
and on Sheet (2) hereto attached, described;



Note: Square iron  
pin found at N.E.  
corner 0.4 South &

1.8 East of pipe "A"  
Note: Black (•) denotes iron pin  
or pipe



IN WITNESS WHEREOF, I place my hand and  
seal, this 12 day of March 1959.

Carl A. Hofer

2. white

## DECLARATORY

Improvement Resolution No. 999-1959 For The Vacation Of Piedmont Drive From The South Property Line Of Nutman

Avenue To The South Property Line Of Oakdale Drive. Also The Vacation Of Oakdale Drive From The West Property

Line Of Piedmont Drive To A Point 319.1 FEET WEST THEREOF

	OWNER'S NAME	ADDRESS	R. P. O.	NUMBER OF			DESCRIPTION
				LOT	BLOCK	O. L.	
1	O'CONNOR, JOHN E.	90 E. 1st St. 50 ft. from S. Dr.					A - exc. N 160' of 4.328'
2							B - P. E. & Vacant Piedmont Dr.
3							25 - exc. S. 120' x 107.5' on S. W.
4							Quimby's Southwest Village
5	QUIMBY SOUTHWEST VILLAGE IMP. CO.	90 E. 1st St. 130 ft. from S. Dr.					
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999